

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Christopher Luckhurst et al.
Serial No. : 10/549,868
Filed : September 21, 2005
Title : PIPERIDINE DERIVATIVES FOR THE TREATMENT OF CHEMOKINE OR H1
MEDIATED DISEASE STATE

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements mailed July 5, 2006 (copy enclosed), Applicants submit that the Notification of Missing Requirements received from the USPTO was sent in error, as all requirements were fulfilled at the time of filing. Applicants submit herewith the following documents:

- ☒ Copy of the date-stamped postcard received from the USPTO;
- ☒ Copy of the Transmittal Letter mailed September 21, 2005; and
- ☒ Copy of the Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63.

No filing fee is believed due. Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 06275-468US1.

Respectfully submitted,

Date: _____

August 17, 2006

Fish & Richardson P.C.
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Catherine M. McCarty 54.301
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21382189.doc

08/22/2006 MKAYPAGH 00000098 061050 10549868

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CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 980076623 US

August 17, 2006
Date of Deposit



UNITED STATES PATENT AND TRADEMARK OFFICE

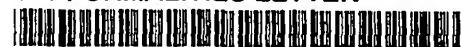
UNITED STATES DEPARTMENT OF COMMERCE
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 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO. 10/549,868	FIRST NAMED APPLICANT Christopher Luckhurst	ATTY. DOCKET NO. 06275-468US1 100949-1P US
		INTERNATIONAL APPLICATION NO. PCT/SE04/00450
		I.A. FILING DATE 03/23/2004
		PRIORITY DATE 03/25/2003

26164
 FISH & RICHARDSON P.C.
 P.O BOX 1022
 MINNEAPOLIS, MN 55440-1022

CONFIRMATION NO. 4699

371 FORMALITIES LETTER



OC000000019447295

Date Mailed: 07/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Request for Immediate Examination filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Assignment filed on 09/21/2005
- Priority Documents filed on 09/21/2005
- Specification filed on 09/21/2005
- Claims filed on 09/21/2005
- Abstracts filed on 09/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,868	PCT/SE04/00450	06275-468US1 100949-1P US

FORM PCT/DO/EO/905 (371 Formalities Notice)

Attorney's Docket No. 06275-468US1	Express Mail Label No. EV 664058693 US	Mailing Date September 21, 2005	For PTO Use Only <i>Do Not Mark in This Area</i>
Application No.	Filing Date	Attorney/Secretary Init JKF/LYZ/cxb	
Title of the Invention PIPERIDINE DERIVATIVES FOR THE TREATMENT OF CHEMOKINE OR H1 MEDIATED DISEASE STATE			
Applicant Christopher Luckhurst et al.			
Client Reference No. 100949-1P US			
Enclosures · Transmittal Letter (3 pages) · Copy of published International Application (38 pages) with ISR (5 pages) · Preliminary Amendment (9 pages) · Recordation Form Cover Sheet · Assignment (2 pages) · Check in the amount of \$1040.00 · Combined Declaration and Power of Attorney (3 pages) · Other: Copy of IPRP (5 pages)			10/549868

JCO4 Rec'd PCT/PTO 21 SEP 2005

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

06275-468US1 100949-1P US

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.
PCT/SE2004/000450INTERNATIONAL FILING DATE
23 March 2004PRIORITY DATE CLAIMED
25 March 2003TITLE OF INVENTION
PIPERIDINE DERIVATIVES FOR THE TREATMENT OF CHEMOKINE OR H1 MEDIATED DISEASE STATEAPPLICANT(S) FOR DO/EO/US
Christopher Luckhurst, Matthew Perry and Brian Springthorpe

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

CERTIFICATE OF MAILING BY EXPRESS MAIL
Express Mail Label No. EV 664058693 US
Date of Deposit: September 21, 2005

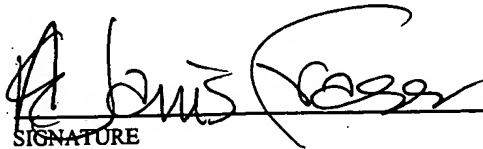
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.53)		INTERNATIONAL APPLICATION NO. PCT/SE2004/000450		ATTORNEY'S DOCKET NUMBER 06275-468US1	
20. Other items or information: Copies of the published International Application (38 pages) with ISR (5 pages); IPRP (5 pages)					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/>	Basic national fee (37 CFR 1.192(a)).....	\$300	\$300.00		
22. <input checked="" type="checkbox"/>	Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$200.00		
	All other situations.....	\$200			
23. <input checked="" type="checkbox"/>	Search fee (37 CFR 1.92(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$500.00		
	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100			
	International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB	\$400			
	All other situations.....	\$500			
Total of 21, 22 and 23 =			\$1,000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100 =	/50 =		X \$250	\$0.00	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 C.F.R. 1.492(h)).			\$0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	19 - 20 =	0	x \$50	\$0.00	
Independent Claims	1 - 3 =	0	x \$200	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$1,000.00	
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. 1.492(i))			+	\$0.00	
TOTAL NATIONAL FEE =				\$1,000.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property			+	\$40.00	
TOTAL FEES ENCLOSED =				\$1,040.00	
				Amount to be refunded:	\$0.00
				Amount to be charged:	\$0.00

- a. ☒ A check in the amount of \$1,040.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

PTO Customer No: 26164


SIGNATURE

Janis K. Fraser, Ph.D., J.D.

NAME

34,819

REGISTRATION NUMBER